

PROCEEDING MEMO

Date: 10/17/2019 02:45 pm

In re: Timothy M. Barrett

Bankruptcy No. 17-20621-CMB
Chapter: 7
Doc. # 120

Movant(s): Timothy M. Barrett , Pro Se,, steve minor, charles zebley

Respondents: Aurelius Robleto, Esq. for Valerie Jill Rhudy Minor

Nature of Proceeding: # 120 Continued Motion to Dismiss Case

Additional Pleadings:

#119 Letter from Chief Deputy to Debtor re correspondence received (update on appeal bond from child support case)
#120 Motion to Dismiss & #121 Order Setting Date Certain
#125 Trustee's Objection & #126 Certificate of Service
#127 Letter from Chief Deputy to Debtor re correspondence received requesting voluntary dismissal
#128 Response of Valerie Jill Rhudy Minor to Motion to Dismiss
#130 Letter/Response of Debtor re Motion to Dismiss
#135 Trustee's Status Report dated 4/17/2019
#137 Valerie Jill Rhudy Minor's Status Report dated 7/3/2019
#138 Order re litigation at case no. CL:10-145 and/or status report
#141 Valerie Jill Rhudy Minor's Status Report dated 7/12/2019
#142 Valerie Jill Rhudy Minor's Status Report dated 7/29/2019
#143 Order re status reports and proposed consent order to be addressed at 9/12/2019 hearing
#146 Letter from Chief Deputy to Debtor re correspondence received re update on Circuit Court matters and dismissal of case
#148 Valerie Jill Rhudy Minor's Status Report dated 8/26/2019
#150 Trustee's Motion for Adjournment & #151 Certificate of Service
#152 Order granting Motion for Adjournment and rescheduling hearing
#155 Letter from Chief Deputy to Debtor re correspondence received (Notice and Motion to Determine the Discharge Status of Debtor's Debt to the IRS)
#156 Letter from Chief Deputy to Debtor re correspondence received (Notice and Motion to Establish a Briefing Schedule and a Hearing for Oral Argument on the Dischargeability of the Debtor to Mr. and Mrs. Minor)

Judge's Notes:

- Minor is objecting to the case being dismissed
- trustee is thinking of closing the case and retaining the right to reopen if the monies come back and not abandoning any monies
- debtor requests 2 more months to consider how to proceed due to IRS debt
- court will give the time, but its likely the court will dismiss this case and will consider restricting debtor as to future filings
- Robleto asks that if the court is to dismiss, he requests a bar to refiling of 1 year
- continued to 12/18 at 2:00, on that day Court will also consider whether the trustee should close the case or whether the case is dismissed with a restriction on future filing
- if Debtor doesn't want the case dismissed, he must file pleadings by 12/1
- Atty. Minor may appear by phone at 12/18 hearing

Carlota M. Böhm
Chief U.S. Bankruptcy Judge

FILED
10/17/19 4:43 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA